

EMMET C. DAVITT
STATE PROSECUTOR



OFFICE OF
THE STATE PROSECUTOR
PRIVATE AND CONFIDENTIAL
September 26, 2012

Suite 410
Hampton Plaza
300 East Joppa Road
Towson, MD 21286-3152
Telephone (410) 321-4067
1 (800) 695-4058
Fax (410) 321-3851

Raouf M. Abdullah, Esquire
Abdullah & Associates, LLC
14714 Main Street
Upper Marlboro, MD 20772

J. Wyndal Gordon, Esquire
10 N. Calvert Street, Suite 930
Baltimore, Maryland 20772

RE: *State v. Alston*
Cases: K-11-2626
K-11-2040

Dear Mr. Abdullah/Mr. Gordon:

This letter memorializes the agreement reached by all parties today, September 26, 2012.

1. Tiffany Alston agrees to immediately withdraw with prejudice her Motion For Appropriate Relief, Including Motion To Dismiss Indictment, In The Alternative, Motion To Set Aside Jury Verdict, In The Alternative, Motion For New Trial Defendant Requests A Hearing filed on June 22, 2012. Ms. Alston further agrees to waive her rights to any and all further post-conviction and appellate proceedings in Case #K-11-2626 and Case #K – 11-2040.

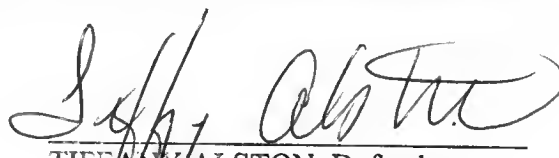
2. The State will recommend, and Ms. Alston will not contest, that Ms. Alston be sentenced on Count 2, Misconduct in Office, in Case #K-11-2626 to one year incarceration with the entire term suspended, followed by three years of probation. Ms. Alston is free to argue for a lesser period of probation. As conditions of that probation, the State will recommend, and Ms. Alston will not contest, that the Court order that Ms. Alston (1) pay restitution of \$800.00 to the Maryland General Assembly and (2) perform 300 hours of community service at a mutually agreed upon legitimate, non-profit or governmental agency. The location where Ms. Alston performs her community service may be subject to change upon approval of the State, which shall not be unreasonably withheld nor delayed. The State will recommend that the Defendant receive probation before judgment on Count 1, misdemeanor theft. The Defendant may seek a Modification

of Sentence requesting probation before judgment on the misconduct in office conviction. The State shall remain silent and the Court agrees to bind itself to striking the guilty conviction and granting Ms. Alston probation before judgment on Count 2 in case #K-11-2626 immediately upon (i) completion of three hundred hours of community service, (ii) payment of \$800.00 in restitution, and (iii) payment of a non-criminal civil citation fine in the amount of \$500.00 referred to more specifically in paragraph 3.

3. **Furthermore**, with respect to Case # K-11-2040, Ms. Alston will tender an Alford Plea to Count 4 of the indictment, Fraudulent Misappropriation by a Fiduciary. The State will recommend that the Defendant be sentenced to probation before judgment. In addition, the State will issue and Ms. Alston agrees to pay a non-criminal civil citation in the amount of \$500.00 for a violation of Section 13-218(d)(3) of the Election Law Article. The State agrees to enter a nol pros to counts 1, 2, 3 and 5 of the indictment upon the court's acceptance of her guilty plea to Count 4.

4. Finally, the parties agree that the court be notified immediately that a resolution in these cases has been reached and request that this matter be set in so that she may tender her Alford Plea and sentencing at the Court's and parties' earliest convenience.

Your client's signature below indicates her agreement with the aforementioned conditions. A signed copy of this letter must be received by close of business today, September 26, 2012. If signed agreement is not received, this offer is deemed to be withdrawn.


 TIFFANY ALSTON, Defendant

 RAOUF A. ABDULLAH, ESQ.
 Co-Counsel for Tiffany Alston

 J. WYNDAL GORDON, ESQ.
 Co-Counsel for Tiffany Alston

 EMMET C. DAVITT
 State Prosecutor

 SHELLEY S. GLENN
 Senior Assistant State Prosecutor